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REMARKS

Claims 21-23 are rejected, under 35 U.S.C. § 102, as being anticipated in view of WO-2001 58687 (Okabe '079 is relied on as the English translation of WO 2001 58687) while claims 16-20 are rejected, under 35 U.S.C. §§ 102(e) and 103(a), as being unpatentable over Okabe '079. The Applicant acknowledges and respectfully traverses all of the raised anticipatory and obviousness rejections in view of the following remarks.

Okabe '079 relates to a polyolefin composite laminate made up of a number of different layers. In view of the disclosure of this reference, it appears as though the composite laminate is made of a layer of expanded polyolefin 11. A layer of low density polyethylene film 14 is placed upon each face of the polyolefin layer. Finally, a layer of polyolefin resin 15 is stretched over each of the layers of the polyethelene film 14. After the laminate is assembled, it is typically hand pressed, at a temperature of 125 degrees Celsius, for a few minutes and then cooled with water in a water-press (see paragraph [0198]). It would appear to the Applicant that the laminate is compressed, at a temperature of 125 degrees Celsius, in order to melt the low density polyethylene 14 to adhere the first polyolefin layer 11 to the two outer polyolefin layers 15. It is respectfully submitted that this reference does not, in fact, teach the laminate being subjected to a temperature that would melt the central polyolefin layer 14 to deform the faces of the polyolefin layer 14.

As presently claimed, the first and the second faces of the core are deformed during compression of the laminate. In order for this to occur, the core must be heated to a temperature higher than its softening temperature such that the first and second faces will deform and/or somewhat flatten in order provide an increased surface area which facilitates better adhesion of the core to the first and the second skins. The Applicant believes these claims structural differences are no where taught, disclosed or suggested in the applied reference of WO 2001 58687 and/or Okabe '079. Accordingly, it is respectfully submitted that

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the presently pending claims are allowable over the art of record in this application, including the applied art of WO 2001 58687 and/or Okabe '079.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claim 16 of this application now recites the features of "the first side and the second side of the core (34) of honeycomb cellular material being distorted upon uniform compression of the composite sheet material", while independent claim 21 now recites the feature of "the first side and the second side of the core (12, 34) of honeycomb cellular material being deformed" and new independent claim 26 recites the features of "the core (34) of honeycomb cellular material comprising a plurality of adjacent tubes extending from the first side to the second side . . . opposed ends of the plurality of tubes on the first side and the second side of the core (34) of honeycomb cellular material being distorted upon uniform compression of the composite sheet material, such that the distorted opposed ends of the tubes on the first side and the second side of the core provide an increased surface area for contact with the first skin and the second skin." Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art. Support for the above entered claim amendments can be found in paragraph [033] of the originally filed specification and the originally filed drawings.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the WO 2001 58687 and/or Okabe '079 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which

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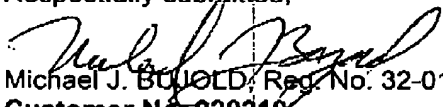
contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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